

**[CHAPTER 279A
STATEWIDE TRANSPORTATION PLANNING]**

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" **[\$279A-1] Statement of purpose.** The legislature finds that continued growth in transport demand and increasing mobility requirements indicate a need for innovative, as well as improved, transportation systems which, while serving local needs, are integrated on a statewide basis. The State Transportation Plan of 1961 is no longer responsive to the needs of the people of Hawaii. A comprehensive, multi-modal statewide transportation planning process should be established which involves all levels of government in a cooperative process to develop coordinated transportation plans. Coordination of such a statewide planning process should be the primary responsibility of the department of transportation. However, to ensure that statewide transportation planning involves the continuing involvement of county governments in the production of a statewide transportation plan, there is a need to establish a statewide transportation council consisting of representatives of the state government and each of the four counties. There is no intent to diminish or pre-empt the existing authorities and responsibilities of county governments for the planning and implementation of transportation systems. It is the purpose of this chapter to provide a means of coordinating the State's existing responsibilities for inter-island and major highway transportation planning and development with counties' responsibilities for intra-island surface transportation system planning and development, in order to facilitate the ultimate production of a statewide transportation plan which optimizes intra-island and inter-island system integration. [L 1975, c 179, §1]

" **§279A-2 Statewide transportation plan.** (a) The state department of transportation shall prepare a new statewide transportation plan and shall submit said plan to the legislature in its 1978 session. The legislature shall adopt the plan by resolution. The plan shall be directed toward the ultimate development of a balanced, multi-modal statewide transportation system that serves clearly identified social, economic, and environmental objectives. The statewide transportation plan shall include the following system components:

- (1) The national system of interstate and defense highways, and highways within the state highway system;
- (2) Airports;
- (3) Harbors and water-borne transit;
- (4) Surface mass transit systems; and
- (5) Major county roads.

The department of transportation shall pay particular attention to the interfacing of the various modes of transportation.

(b) The statewide transportation plan shall:

- (1) Include projected transportation needs for a six-year period and a schedule of priorities for the construction, modification, and maintenance of various segments of the statewide plan that involve either state-operated systems or county-operated systems that may require state financial assistance for a twenty-year period; and
- (2) Comply with county transportation-related plans; county general plans; and all community, development, or community development plans adopted pursuant to the county general plan, to the extent that compliance does not affect the receipt of federal funds.

(c) Both the six-year and twenty-year estimates shall be updated annually. [L 1975, c 179, §2; am L 2009, c 27, §1]

" **§279A-3 Financial plan.** The statewide transportation plan shall include a financial plan for the projected elements of the statewide transportation system, including both those sub-systems which are within the counties' authorities and responsibilities and the sub-systems which are within the State's authorities and responsibilities. In respect to sub-systems planned and to be implemented by the counties, the financial plan will identify those which may involve state financial assistance and will estimate the projected amounts of such assistance.

The financial plan shall consider various sources of revenue without regard to any constraints imposed by law on expenditures from such sources necessary to assure adequate financing of the sub-systems and, if necessary, recommend appropriate legislation to the legislature to secure such financing. [L 1975, c 179, §3]

" **§279A-4 Statewide transportation council; establishment.** To assist and advise the state department of transportation in the development of the statewide transportation plan there is hereby established a statewide transportation council consisting of fourteen members. The members of the council shall be the directors of the state department of transportation, the state department of business, economic development, and tourism, the state department of health, the state office of environmental quality control, and the office of planning, the chairperson of the board of agriculture, the planning directors of each of the four counties, and the transportation directors of each of the

four counties. The members may be represented at council meetings by their designated alternates. The director of the state department of transportation shall submit recommendations to the council for additional ex officio nonvoting members who, upon the majority vote of the council, shall be invited to serve.

The department of transportation shall furnish staff support to the council; such staff may be exempt from chapter 76. The director of transportation shall be the chairperson of the council. All decisions of the council shall be by majority vote unless otherwise provided. [L 1975, c 179, §4; am L 1979, c 25, §1; am L 1987, c 336, §5; am L 1990, c 293, §8; gen ch 1993; am L 1996, c 299, §3; am L 2000, c 253, §150]

" **[\$279A-5 Preparation of budget.]** The operations of the council will be financed by funds appropriated by section 79A, Act 218, Session Laws of Hawaii, 1973, as amended by section 9, Act 218, Session Laws of Hawaii, 1974. An annual recommended budget for the council shall be prepared by its chairperson and submitted to the council for approval. Funds may be expended for staff services, administrative and operating costs, travel and per diem costs of council members and staff, hiring of consultants to assist in work program formulation, planning and research, publication of materials, and any other activities necessary and incidental to the effective operations of the council in fulfilling the purposes of this chapter. [L 1975, c 179, §5; gen ch 1993]

" **[\$279A-6 Work program.]** The state department of transportation shall formulate a detailed work program through which the statewide transportation plan mandated by this chapter shall be developed. The work program shall be approved by the council no later than September 1, 1975. The council shall report thereafter annually to the legislature on the progress that has been made to date as measured against the work plan.

The work program shall provide for a systematic planning interface among the ongoing planning activities of the counties, the state department of transportation, and the council itself. The work program shall include specific target dates for the provision of identified planning inputs from the responsible state and county functional agencies into the statewide planning process. In determining this schedule, the council shall solicit from the counties their present transportation planning schedules for intra-county systems, and the council's work program shall reflect the counties' existing work product schedule and planning cycles. [L 1975, c 179, §6]

" **§279A-7 Statewide transportation council; responsibilities.** In addition to its responsibility for coordinating the development of a statewide transportation plan, the council shall be responsible for the following functions:

- (1) The council shall be responsible for making recommendations on projects for submission to the legislature which involve solely and exclusively either state highways, harbors and water-borne transit, and airports and air transportation; solely and exclusively state funds; or solely state lands. All other projects for submission to the legislature, including intra- county mass transit projects, shall be the responsibility of the counties.
- (2) In respect to transportation projects for which the counties are responsible for planning and approval prior to submission to the legislature, the council shall review such projects and prepare comments for the legislature regarding:
 - (A) The degree to which an intra-island transportation project interfaces efficiently with existing proposed inter-island transportation system; and
 - (B) The relationship between the specific projects' possible requirements for state financial assistance and projections as to the State's total potential financial commitments required for development of a statewide transportation system.
- (3) Counties which do not have metropolitan planning organizations may request from the council, and the council shall provide, technical assistance to the counties in the preparation of their respective county transportation plans as components of the statewide transportation planning process. The amounts of technical assistance to be provided hereunder are within the discretion of the chairperson who shall consider in making the chairperson's determinations the magnitude of the problems which exist in the requesting counties, the availability of local resources, the degree to which they are cooperatively participating in the statewide planning process and the adequacy of the council's budget considering the financial requirements of overall council operations. [L 1975, c 179, §7; gen ch 1985; am L 1991, c 35, §1; gen ch 1993]

" **§279A-8 Oahu metropolitan planning organization; effect on funding.** The provisions of this chapter do not affect the entitlement of the metropolitan planning organization for the island of Oahu or any other county to unconditionally receive and administer transportation planning funds pursuant to 23 United States Code section 134, as amended. [L 1975, c 179, §8; am L 2015, c 132, §2]

" **§279A-9 Limitation of transportation units.** The council shall be responsible for limiting and curtailing the numbers and kinds of transportation units in the State. The council shall determine, as often as the council deems to be necessary or as required by the legislature, after consultation with the department of traffic and other appropriate departments of the counties, the number, size, and use of transportation units of any kind that may be within the territory of any island of the State at any one time. The council shall make its determination on the basis of preserving, safeguarding, and enhancing the physical and mental health of the residents of the State, and the ecology and environmental quality of the State, and shall take into consideration the need for high priority and vital movement of people and goods. The council shall report its findings to the legislature as soon as its findings are completed. [L 1975, c 179, §9; am L 1979, c 26, §1]